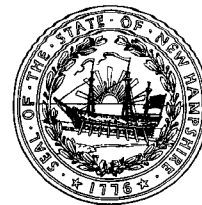


The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

September 12, 2006

LETTER OF DEFICIENCY# WSEB 06-140
Certified Mail# 7000 1670 0001 2915 6120

Gildas Bettencourt
1777 Bridge Street
Dracut, MA 01826

Subject: Pelham - Public Water System: Dunkin Donuts/Baskin Robbins (EPA# 1858090)

Dear Ms. Bettencourt:

The records of the Department of Environmental Services (DES) show that the Dunkin Donuts/Baskin Robbins water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result Monitoring/Reporting (M/R) violations were issued for the following months:

July 2005 and July 2006

In view of the Monitoring/Reporting violations, DES believes the deficiencies can be corrected by taking the following actions:

- **By September 22, 2006**, submit a "make-up" water sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with NH Admin. Rule Env-Ws 325.

A non-community water system normally samples for bacteria quarterly unless its sampling schedule has been reduced to semi-annual sampling in recognition of the system maintaining compliance with drinking water regulations. Pursuant to Env-Ws 325.05(f), however, a non-community water system on a reduced monitoring schedule is returned to a quarterly sampling schedule if it fails to submit two or more routine bacteria samples in any 18-month period. Having failed to submit its July 2005 and July 2006 routine bacteria samples, the water system must be placed on a quarterly sampling schedule. **Therefore, effectively immediately the water system's bacterial sampling schedule is now:**

January, April, July and October

Please be reminded to carry out the public notice requirements and provide proof of public notice to DES for the July 2006 monitoring/reporting violation.

In the event compliance is not achieved within this period, DES may initiate formal action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Allyson Gourley by phone at (603) 271-0672 or by e-mail at agourley@des.state.nh.us if you have any questions regarding this letter.

Sincerely,

COPY

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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encl.: Master Sampling Schedule
Laboratory Analysis Form
Public Notice Template

cc w/o encl.: Gretchen R. Hamel, DES Legal Unit Administrator
Town of Pelham Health Officer
EPA, Region 1